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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/533,148	03/23/2000	Eddie Huey Chiun Lin	99-313	1189

32127 7590 03/02/2004

VERIZON CORPORATE SERVICES GROUP INC.  
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EXAMINER

BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
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2153

12

DATE MAILED: 03/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/533,148

Applicant(s)

LIN, EDDIE HUEY CHIUN

Examiner

Yasin M Barqadle

Art Unit

2153

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

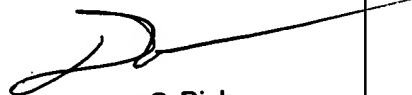
The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-25.Claim(s) withdrawn from consideration: 26-31.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
Dung C. Dinh  
Primary Examiner

Continuation of 5. does NOT place the application in condition for allowance because: Note; Examiner maintains that the restriction requirement applied to claims 26-31 were proper. see the reason below.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-25, drawn to method of analyzing data network and determining an identity of a network device, classified in class 709, subclass 238.

II. Claims 26-31, drawn to a method of determining and identity of a network device and setting the identity of network device to an identity in a routing table, classified in class 370, subclass 254.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination does not require the method of determining an identity of a network device and setting the identity of network device to an identity in a routing table (static routing table and OSPF route summarization table). The subcombination has separate utility such as determining and identity of a network device and setting the identity of a network device to an identity in a routing table (static routing table and OSPF route summarization table.)

In response to applicant's argument in page 4, paragraph 1, that "while Feldmann discloses populating a data model and retrieving information by accessing multiple sources of information, Feldmann does not disclose at least determining if a particular network prefix is included in the accessed information". Examiner disagrees and points the applicant to paragraphs 0030-0031, page 3 where Feldmann shows an example of a particular network prefix in his data model that identifies a link of neighboring routers with a prefix 10.34.56.76/30. Therefore, Feldmann clearly teaches determining (identifying) a particular network prefix that is included in the accessed information. Feldmann also teaches "determining an identity of a network device based on an identity included in the accessed information corresponding to the network prefix" as argued by the applicant in page 4, paragraph 3. Feldmann discloses in the same paragraphs 0030-0031 as explained above that the prefix 10.34.56.76/30 consists of the IP addresses 10.34.56.76, [10.34.56.77], 10.34.56.78, and 10.34.56.79. Two of the IP addresses are reserved: first one (10.34.56.76) for the network address of the subnet with network prefix 10.34.56.76 /30 and the second (10.34.56.79) for the broadcast address of the same subnet with the prefix 10.34.56.76 /30. There are two more IP addresses (10.34.56.77 and 10.34.56.78) in this network prefix that can be used to identify (determine) two ends of a bi-directional, point-to-point link such as neighboring routers (devices) that exchange traffic over that link. Therefore, again Feldmann shows determining an identity of a network device based on an identity included in the accessed information corresponding to the network prefix. See also paragraphs 0034-0035, page 3 where Feldmann gives another example of determining a particular network prefix such as network prefix 10.2.3.0/24 in a forwarding table of static route. Customer device (router) connected statically to one end of this prefix is associated with this prefix and identified as such. The above explanation and the response given by the examiner in the final rejection shows that Feldmann's reference teaches the claimed invention including determining whether one or more of the accessed tables contains the network prefix..